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5 UNITED STATES DISTRICT COURT
6 EASTERN DISTRICT OF WASHINGTON

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jan 30, 2019

SEAN F. McAVOY, CLERK

7 MARIA BARRIENTOS, o.b.o., E.B.B.,
8 a minor child,

No. 4:18-CV-5083-JTR

9
10 v.

11 COMMISSIONER OF SOCIAL
12 SECURITY,

ORDER GRANTING STIPULATED
MOTION FOR REMAND
PURSUANT TO SENTENCE FOUR
OF 42 U.S.C. § 405(g)

13 Defendant.
14

15 **BEFORE THE COURT** is the parties' stipulated motion to remand the
16 above-captioned matter to the Commissioner for additional administrative
17 proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 21.
18 Attorney D. James Tree represents Plaintiff; Special Assistant United States
19 Attorney Lisa Goldoftas represents Defendant. The parties have consented to
20 proceed before a magistrate judge. ECF No. 7. After considering the file and
21 proposed order, **IT IS ORDERED:**

22 1. The parties' Stipulated Motion for Remand, **ECF No. 21**, is
23 **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the
24 Commissioner of Social Security for further administrative proceedings pursuant to
25 sentence four of 42 U.S.C. § 405(g). On remand, the administrative law judge
26 (ALJ) will hold a *de novo* hearing, further develop the record as necessary, and
27 issue a new decision. The ALJ shall: (1) reevaluate E.B.B.'s impairments to
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1 determine whether they meet, medically equal, or functionally equal a listing
2 impairment, including listings 102.10 and 111.09; (2) reevaluate the statements of
3 E.B.B.'s mother and explain the weight accorded to this evidence; and (3) obtain
4 updated evidence from a medical expert. Plaintiff may present additional
5 testimony and submit additional evidence.

6 2. **Judgment shall be entered for PLAINTIFF.**

7 3. Plaintiff's Motion for Summary Judgment, **ECF No. 14**, is
8 **STRICKEN AS MOOT.**

9 4. An application for attorney fees and costs may be filed by separate
10 motion.

11 The District Court Executive is directed to enter this Order, forward copies
12 to counsel, and **CLOSE THE FILE.**

13 DATED January 30, 2019.



A handwritten signature in black ink, consisting of a stylized 'M' followed by a horizontal line.

JOHN T. RODGERS
UNITED STATES MAGISTRATE JUDGE